

Remarks

Claims 1-9 are pending in the present application. Reconsideration and allowance are requested in view of the above amendments and the remarks below. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Furthermore, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application.

Claims 8-9 have been amended to address the rejection under 35 U.S.C. 101.

Claims 1-9 are rejected under 35 U.S.C. 102(b) over Skemer (U.S. 2001/0044893). This rejection is defective because Skemer fails to disclose each and every feature of the claims as required by 35 U.S.C. 102(b).

Claim 1 sets forth:

"A method executed by an agent on a computing system, providing robustness to an accounting function of user sessions established by at least one NAS in an IP network, the accounting function being performed on a RADIUS server storing an ID, IP address and secret code for each of the at least one NAS and information identifying each established session, said method comprising the steps of:

- identifying for the RADIUS server, the agent as a RADIUS client of the RADIUS server,
- polling from the agent the at least one NAS and, if no answer is received from at least one non-responding NAS,
- sending from the agent a RADIUS stop accounting request to the RADIUS server for all sessions established by the at least one non-responding NAS."

Skemer fails to disclose, *inter alia*, "polling from the agent the at least one NAS and, if no answer is received from at least one non-responding NAS, sending from the agent a RADIUS stop accounting request to the RADIUS server for all sessions

established by the at least one non-responding NAS.”

In the Office Action, the Examiner equates the claimed “polling from the agent the at least one NAS and, if no answer is received from at least one non-responding NAS ...” with the “polling” performed by Skemer’s SNMP management station. This is incorrect. On the contrary, Skemer discloses that the “SNMP management station periodically ‘polls’ the IAD SNMP agent to **upload the accumulated statistics**” (paragraph [0056]). Clearly, Skemer’s SNMP management station is not used to poll at least one NAS in **order to determine if any of the NASs is not responding**, as set forth in claim 1 of the present patent application.

The Examiner further equates the claimed “and, if no answer is received from at least one non-responding NAS, **sending from the agent a RADIUS stop accounting request to the RADIUS server for all sessions established by the at least one non-responding NAS,**” with Skemer’s “time sessions.” Again, this is incorrect. On the contrary, the “session-timeout” disclosed by Skemer in paragraph [0038] is associated with user authentication to use network resources, not to the “sending from the agent a **RADIUS stop accounting request** to the RADIUS server for all sessions established by the at least one non-responding NAS.”

Accordingly, Applicants submit that independent claim 1 and its corresponding dependent claims are allowable. Applicants further submit that independent claims 8 and 9 are allowable for reasons similar to those set forth above with regard to independent claim 1.

With respect to the dependent claims, Applicants herein incorporate the arguments presented above with respect to the independent claims from which the

claims depend. The dependent claims are believed to be allowable based on the above arguments, as well as for their own additional features.

Applicants submit that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicants do not acquiesce to the Examiner's interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. Additionally, Applicants do not acquiesce to the Examiner's analysis, combinations, and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Examiner's combinations and modifications have not been separately addressed herein for brevity. However, Applicants reserve the right to present such arguments in a later response should one be necessary.

If the Examiner believes that anything further is necessary to place the application in condition for allowance, the Examiner is requested to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

/ John A. Merecki /

Dated: November 2, 2007

John A. Merecki
Reg. No. 35,812

Hoffman, Warnick & D'Alessandro LLC
75 State Street, 14th Floor
Albany, NY 12207
(518) 449-0044 - Telephone
(518) 449-0047 - Facsimile